

United States Patent and Trademark Office

B

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
10/747,668	12/29/2003	Leila Song	5017	1567	
	7590 04/05/2007 e of Stuart D. Frenkel, P.C	EXAMINER			
Suite 330 3975 University Drive Fairfax, VA 22030			AHMED, HASAN SYED		
			ART UNIT	PAPER NUMBER	
			1615		
			MAIL DATE	DELIVERY MODE	
•		•	04/05/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)	
10/747,668	SONG ET AL.	
Examiner	Art Unit	
Hasan S. Ahmed	1615	

	Tidodii O. 7 minod	1 .0.0	<u> </u>
The MAILING DATE of this communication appe	ars on the cover sheet with the	correspondence add	ress
THE REPLY FILED 16 March 2007 FAILS TO PLACE THIS AP	PLICATION IN CONDITION FOR	ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or on this application, applicant must timely file one of the follow places the application in condition for allowance; (2) a No a Request for Continued Examination (RCE) in compliance time periods:	the same day as filing a Notice of ving replies: (1) an amendment, a tice of Appeal (with appeal fee) in	f Appeal. To avoid aba ffidavit, or other evider compliance with 37 C	nce, which FR 41.31; or (3)
a) The period for reply expiresmonths from the mailing	date of the final rejection.		
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire la Examiner Note: If box 1 is checked, check either box (a) or (TWO MONTHS OF THE FINAL REJECTION. See MPEP 76	ater than SIX MONTHS from the mailing). ONLY CHECK BOX (b) WHEN TH	ng date of the final rejecti	on.
Extensions of time may be obtained under 37 CFR 1.136(a). The date have been filed is the date for purposes of determining the period of extunder 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office later may reduce any earned patent term adjustment. See 37 CFR 1.704(b) NOTICE OF APPEAL	on which the petition under 37 CFR 1 tension and the corresponding amount shortened statutory period for reply original than three months after the mailing d	t of the fee. The appropr ginally set in the final Offi	iate extension fee ice action; or (2) as
 The Notice of Appeal was filed on A brief in comp filing the Notice of Appeal (37 CFR 41.37(a)), or any exter a Notice of Appeal has been filed, any reply must be filed 	nsion thereof (37 CFR 41.37(e)), t	o avoid dismissal of th	hs of the date of ne appeal. Since
AMENDMENTS 3. The proposed amendment(s) filed after a final rejection, (a) They raise new issues that would require further co			ecause
 (b) ☐ They raise the issue of new matter (see NOTE belo (c) ☐ They are not deemed to place the application in bet appeal; and/or 	w);		the issues for
(d) They present additional claims without canceling a NOTE: See Continuation Sheet. (See 37 CFR 1.1		ejected claims.	
4. The amendments are not in compliance with 37 CFR 1.1.		ompliant Amendment	(PTOL-324).
5. Applicant's reply has overcome the following rejection(s)			
6. Newly proposed or amended claim(s) would be all non-allowable claim(s).	lowable if submitted in a separate	, timely filed amendme	ent canceling the
7. For purposes of appeal, the proposed amendment(s): a) how the new or amended claims would be rejected is protected. The status of the claim(s) is (or will be) as follows:	☑ will not be entered, or b) ☐ will will not be entered, or b) ☐ wided below or appended.	rill be entered and an o	explanation of
Claim(s) allowed: Claim(s) objected to: Claim(s) rejected: <u>1-20</u> .			
Claim(s) withdrawn from consideration:			
AFFIDAVIT OR OTHER EVIDENCE 8. The affidavit or other evidence filed after a final action, but because applicant failed to provide a showing of good an was not earlier presented. See 37 CFR 1.116(e).	nt before or on the date of filing a t d sufficient reasons why the affida	Notice of Appeal will <u>no</u> wit or other evidence i	ot be entered s necessary and
9. The affidavit or other evidence filed after the date of filing entered because the affidavit or other evidence failed to o showing a good and sufficient reasons why it is necessar	overcome <u>all</u> rejections under app y and was not earlier presented.	eal and/or appellant fa See 37 CFR 41.33(d)(ils to provide a 1).
10. \square The affidavit or other evidence is entered. An explanation REQUEST FOR RECONSIDERATION/OTHER			
11. The request for reconsideration has been considered by See Continuation Sheet.		in condition for allowa	nce because:
12. Note the attached Information Disclosure Statement(s).	(PTO/SB/08) Paper No(s)		
13. Other:			
	·	•	
•			
			•

Continuation Sheet (PTO-303)

Continuation of 3. NOTE: The amendments to claims 1 and 2 change the scope of the originally presented claims, requiring further search and consideration by the examiner.

Continuation of 11. does NOT place the application in condition for allowance because: Hoercher teaches a process for removal of undesirable odors from fish products using a complex metal hydride. Thus, the 35 USC 103(a) rejection of record is properly maintained.

HUMERA N SHEIKH